IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STEVEN J. MUNIC, :

:

Plaintiff :

:

v. : CIVIL NO. 4:CV-13-2245

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WARDEN DAVID LANGAN, ET AL., : (Judge Brann)

:

Defendants :

ORDER

September 18, 2015

In accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED THAT**:

- Defendants Lackawanna County, O'Brien, Gerouolo, Sopinski,
 Johnson and McMillan's motion to dismiss is construed as seeking entry of partial dismissal.
- The Moving Defendants' motion for partial dismissal (Doc.76) is **GRANTED**.

- 3. Dismissal will be granted in favor of the Defendants with respect to: (1) the RLUIPA claims against the individual Defendants in their individual capacities; (2) all ADA allegations; (3) the contentions of verbal threats and harassment; (4) all claims against Defendants Lackawanna County, Commonwealth of Pennsylvania, Ex-Commissioner O'Brien and Judge Geruolo; and (5) the allegations against Warden McMillan which are premised upon either his supervisory capacity, his handling of Plaintiff's grievances, or the failure to protect claim.
- Dismissal will be GRANTED in favor of Defendants
 Commonwealth of Pennsylvania, Lackawanna County; Judge
 Vito Geroulo and ex-Commissioner Corey O'Brien.
- 5. The following claims will proceed: (1) the RLUIPA claims against Defendants McMillan and Johnson in their official capacities and the First Amendment religious interference claims for monetary relief against Defendants McMillan and Johnson; (2) the failure to protect claim against Defendant Sopinski; and (3) the allegations that CO Johnson denied

Plaintiff adequate clothing and access to drug and alcohol treatment.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge